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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/686,007	10/10/2000	Donald J. Palmer	10006545-1	4378

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

TRAN, LAMBERT L

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 04/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/686,007

Applicant(s)

PALMER ET AL.

Examiner

Lambert L. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

1. Amendment A, filed on 04 February 2004, has been entered as paper No. 4.
2. Claims 1-8, 11, 14-16, 20 are amended. Claims 21-22 are added.
3. Claims 1-22 remain pending.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-22, are rejected under 35 U.S.C. 103(a) as being unpatentable over Leiman et al., U.S. Patent No 6,469,796, hereinafter referred to as Leiman, in view of Motoyama et al., U.S. Patent No 6,631,247, hereinafter referred to as Motoyama.

6. In regard to claims 1, 8, Leiman disclosed:

*defining a print managing system controller (GUI open print server) having the print services provided by the print provider (output manager and printers) registered therewith* [see Leiman , ABSTRACT, col. 1, lines 61-67, col. 2, lines 1-2, figure 2 and figure 3];

*defining a network communication link between the print provider and the print managing system controller* [see Leiman, col. 1, lines 61-67, col. 2, lines 1-2, and figure 2].

7. However, Leiman did not expressly disclose:

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*collecting, analyzing, and reporting the statistics of the print services.*

8. In the same field of communicating with printing machines connected to a network [see Motoyama, ABSTRACT], Motoyama disclosed:

*collecting data related to the print services provided by the print provider (network printer) with the print managing system controller (service center) [see Motoyama, col. 22, lines 10-19, col. 2 lines 26-30]; and*

*analyzing (create informational reports regarding status) the print service data including generating statistics of the print services with the print managing system controller using the print services data; and*

*reporting the statistics of the print services (informational report) via the network communication link (transmitted over the Internet) [see Motoyama, col. 21, lines 44-64, col. 22, lines 40-47].* An ordinary artisan in the art at the same time the invention was made, would have been motivated to look to a way to enhance the communication and feedback between the print provider and the print managing system controller for better servicing the system as well as for planning purpose because it takes approximately twenty minutes to an hour to reconfigure the mainframes and switch of network print server system [see Leiman, col. 1, lines 38-45].

9. Accordingly, it would have been obvious to one of ordinary skill in the distributed print server art at the time the invention was made to have incorporated Leiman teachings with the teachings of Motoyama's, for the purpose of providing a system that is complete and responsive, for example, urgent information about a resource or a device is transmitted to the resource manager and it then can initiate corrective action to resolve the problem [see Motoyama, col. 3, lines 4-7].

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10. For the rationale set forth above, claims 1, 8 are rejected.
11. In regard to claim 9, Leiman disclosed: *the printing managing system controller is configured to communicate with the print provider via a network* [see Leiman, figures 2-3, and 5].
12. In regard to claims 2, 10, Leiman disclosed: *the network communication link includes defining an Internet communication link between the print provider and the print managing system controller* [see Leiman, col. 3, lines 49-52, and figure 2, see Motoyama, figure 12].
13. In regard to claims 3, 11-13, 17-18, the combination inventions Leiman and Motoyama disclosed: *cost data, production data, operating cost, revenue, and profitability, consumption and productivity* (job accounting files, job accounting records, other information) [see Leiman, col. 5, lines 28-33, see Motoyama, col. 21, lines 44-46].
14. In regard to claims 4, 14, the combination inventions Leiman and Motoyama disclosed: *generate statistics, report the statistics* (report queue, resources display window, copies per job per machine) [see Leiman, col. 8, lines 26-41, see Motoyama, col. 22, lines 9-21, and figure 27].
15. In regard to claims 5-7, 15-16, 20, the combination inventions Leiman and Motoyama disclosed: *job ticket, cost data, statistics of the job ticket, report statistics via network link* (ticket, report ticket, unique identifier) [see Leiman, col. 8, lines 46-49, see Motoyama, col. 6, lines 41-43, and col. 22, lines 9-47].
16. In regard to claim 19, the combination inventions Leiman and Motoyama disclosed: *customer identification and print job attributes* (user name, account name, header information) [see Leiman, col. 5, lines 1-4, see Motoyama, col. 19, lines 25-26, and lines 41-43].

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17. In regard to claims 21-22, the combination inventions Leiman and Motoyama disclosed: *collecting cost and consumables requirement of the print services* (report to allow company to monitor machines, maintaining information and statistic about the machines) [see Motoyama, col. 22, lines 20-48].

18. Since all the claims limitations are taught by the combination inventions of Leiman and Motoyama, claims 1-22 are rejected.

### ***Response to Arguments***

19. Applicant's arguments filed on 04 February 2004 (Paper No. 4) have been fully considered but they are not persuasive.

20. Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

21. Applicant merely submitted (see Amendment A, Page 8, last paragraph) that the prior arts of record do not teach or suggest the claims limitations is not a valid argument, since such assertions are not pointing out disagreements with the examiner's contentions, nor do they discuss the references applied against the claims, explaining how the claims avoid the references or distinguish from them.

22. The rejection of claims 1-2, 8-10, using Klatt et al. (U.S. Patent No 6,415,277) in view of Lynch et al. (U.S. Patent No 6,581,097) has been withdrawn in favor of Leiman and Motoyama. Examiner still contends that these references were valid prior arts at the time the invention was made and contains a great many features in common with the claimed invention. Examiner reserves the right to reapply these teaching to any/all of the claims, reopen prosecution if necessary, and/or combine the teachings with other prior art(s) to result in the invention as currently claimed.

### ***Conclusion***

23. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

24. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lambert L. Tran whose telephone number is (703) 305-4663.

The examiner can normally be reached on M-F at 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack B Harvey can be reached on (703) 305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

L.L.T  
Assistant Examiner  
GAU 2144  
April 19, 2004

  
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AV:2142